

KASEN & KASEN

A PROFESSIONAL CORPORATION

Attorneys at Law

SOCIETY HILL OFFICE PARK, SUITE 3
1874 E. MARLTON PIKE (ROUTE 70)
CHERRY HILL, NJ 08003-2038

DAVID A. KASEN Δ*o†
FRANCINE STEIN KASEN Δ

JENNY R. KASEN Δ*♦o
MICHAEL J. KASEN ⌘

TEL: (856) 424-4144

FAX: (856) 424-7565

www.kasenlaw.com

EMAIL:

dkasen@kasenlaw.com
fkasen@kasenlaw.com
jkasen@kasenlaw.com
mkasen@kasenlaw.com

Δ MEMBER OF NJ BAR
* MEMBER OF PA BAR
♦ MEMBER OF FLA BAR
o MEMBER OF DEL BAR
⌘ MEMBER OF NY BAR
o BOARD CERTIFIED –
CONSUMER BANKRUPTCY LAW –
AMERICAN BRD OF CERTIF –
ACCREDITED BY THE ABA
† BOARD CERTIFIED –
BUSINESS BANKRUPTCY LAW –
AMERICAN BRD OF CERTIF –
ACCREDITED BY THE ABA

DELAWARE OFFICE
1000 N. WEST STREET
SUITE 1200
WILMINGTON, DE 19801
TEL: (302) 652-3300

PENNSYLVANIA OFFICE
7909 BUSTLETON AVENUE
PHILADELPHIA, PA 19152
TEL: (215) 923-1665

FLORIDA OFFICE
201 S. BISCAYNE BOULEVARD
SUITE 2800
MIAMI, FL 33131
TEL: (856) 424-4144

NEW YORK OFFICE
115 BROADWAY
5th FLOOR
NEW YORK, NY 10006
TEL: (646) 397-6226

February 2, 2022

The Honorable Craig T. Goldblatt, U.S.B.J.
United States Bankruptcy Court for the District of Delaware
824 Market Street. N.
3rd Floor, Courtroom 7
Wilmington, DE 19801

Re: Team Systems International, LLC - Ch. 11 No. 22-10066-CTG – *Request for Discovery Telephone/Zoom Conference*

Dear Judge Goldblatt:

As your Honor already knows, on January 21, 2022, after receiving notice of the above-captioned bankruptcy filing, creditors, GPDEV and Simons (“**Creditors**”) served the Debtor with a subpoena for the production of documents relating to the debtor’s financial affairs (the “**Document Request**”). A copy of Creditor’s 1/21/22 Document Request is attached.

Thereafter, on January 22, 2022, the Debtor informed Creditors that the Debtor will not produce any of the documents requested. A copy of Debtor’s 1/22/22 Correspondence is attached.

On January 24, 2022, at the hearing on the Debtor’s Cash Management Motion, Creditors informed the Court of the Debtor’s refusal to comply with Creditors’ Document Request. And, your Honor indicated that Creditors are entitled to discovery and transparency in this bankruptcy case.

Immediately after the January 24, 2022 hearing concluded, Creditors, again, asked the Debtor to comply with the Document Request. A copy of Creditor’s 1/24/22 Correspondence is attached.

But again, on January 25, 2022, the Debtor informed Creditors that the Debtor will not produce any of the documents requested - claiming a lack of relevance as the legal basis for its refusal to comply. A copy of Debtor’s 1/25/22 Correspondence is attached.

On January 26, 2022, your Honor held a discovery conference, and Ordered that certain of the documents requested be produced (e.g. tax returns, bank statements, K-1s, etc.).

On January 27, 2022, Creditors asked the Debtor to advise of the location and timing by which documents will be produced. A copy of Creditors' 1/27/22 Correspondence is attached.

In response thereto, Debtor's counsel indicated that production would be made by Wednesday, February 2, 2022. A copy of Debtor's 1/27/22 Correspondence is attached.

Today, Wednesday, February 2, 2022, the Debtor produced certain documents to Creditors. However, the document production is grossly deficient. For example, the bank statements produced are incomplete. They are missing pages, missing copies of cancelled checks, and contain redactions. Also, the debtor failed to produce any tax returns, K-1s, financial statements corporate resolutions and corporate minutes.

Creditors have informed the Debtor of these deficiencies, and requested that the Debtor immediately produce the missing documents (complete bank statements, tax returns, K-1s, etc.). A copy of Creditors' 2/2/22 Correspondence is attached.

But, the Debtor has now indicated that production of those missing documents will not be made today, or even this week. A copy of Creditors' 2/2/22 Correspondence is attached.

The Debtor is scheduled to be deposed by Creditors on the morning of Friday, February 4, 2022. A copy of the Deposition Notice is attached. And, all pre-hearing briefing is due by Monday, February 7, 2022.

The Debtor has no legitimate excuse for any further delay in producing the very basic documents being requested - complete bank statements (all pages including copies of all checks), tax returns, K-1s, etc. And, these documents are needed immediately so that Creditors have time to review same and prepare for Friday's deposition.

Creditors explained the foregoing timing concerns to the Debtor. Creditors' 2/2/22 Correspondence is attached. But, the Debtor has failed to assure that production will be made so that Creditors have time to review same and prepare for Friday's deposition.

In light of the foregoing, Creditors submit that they have complied with the meet and confer obligations set forth in Local Rule 7026-1(a), and hereby request that the Court hold an immediate telephone/zoom discovery conference to discuss this discovery dispute.

Respectfully,

/s/ Jenny R. Kasen

JENNY R. KASEN

JRK:jk

Enclosure(s)

Via ECF

Cc: Nickita_Barksdale@deb.uscourts.gov; jedmonson@rc.com; CCrowther@rc.com;
Michael.Moody@michaelhmoodylaw.com leonard.collins@gray-robinson.com